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Office of Proceedings

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Public Use

February 10, 2006



The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K St., NW, Room 711  
Washington, DC 20423-0001

**Re: Request for Extension - Interim Trail Use/Public Use Conditions  
Delaware & Hudson Railway Company, Inc. d/b/a Canadian Pacific Railway  
Abandonment - Albany County, New York  
STB Docket No. AB-156 (Sub-No. 23X)**

Dear Mr. Williams:

With regard to the referenced matter, on July 8, 2003, the Surface Transportation Board granted an initial request by Albany County for interim trail use/railbanking and public use conditions. The Surface Transportation Board subsequently granted requests by Albany County to extend the trail use negotiation period and the public use condition until January 2006, for the purpose of securing acquisition funding assistance through a New York State parks grant award and completing negotiations with Canadian Pacific Railway Company for acquisition of the rail corridor in question.

Since the most recent extension was granted, Albany County and Canadian Pacific Railway Company have continued negotiations toward conveyance of the subject rail corridor; however, during that time period, progress was interrupted by the turnover of key personnel on both sides of the negotiations table, resulting in delays that precluded our ability to finalize the proposed conveyance. It is, therefore, necessary that the trail use negotiation period and the public use condition be extended for another 180 days, during which time, it is expected that outstanding issues will be resolved and transfer of title completed.

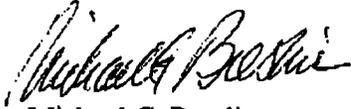
Given the above, Albany County respectfully requests that an additional 180 days (through July 9, 2006) be granted as an extension to complete the acquisition process between the County and Canadian Pacific Railway Company. It is our understanding that Canadian Pacific is supportive of this extension.

**FILING FEE WAIVED**

Should you have any questions regarding this request or require additional information, please contact Mark Fitzsimmons, Director of the Albany County Department of Economic Development, Conservation and Planning at (518) 447-5665 or [mfitzsimmons@albanycounty.com](mailto:mfitzsimmons@albanycounty.com).

Thank you for your time and consideration in this matter.

Sincerely,



Michael G. Breslin  
County Executive

Copy to: Annie Littlefield, Leonard, Street and Deinard  
Gerry Edwards, Canadian Pacific Railway  
Seth McKee, Scenic Hudson Land Trust Inc.  
Mark Fitzsimmons, Albany County EDCP